

**SUPREME COURT MINUTES
FRIDAY, MARCH 6, 1998
SAN FRANCISCO, CALIFORNIA**

1st Dist. Byron Cornelius Levingston, Petitioner
A081663 v.
Div. 5 Alameda County Superior Court, Respondent
S068254 People, Real Party in Interest
Application for stay and petition for review DENIED.

Amended Order

3rd Dist. Funeral Security Plans, Incorporated, Appellant
C022830 v.
C024080 State Board of Funeral Directors et al., Respondents
S067216 And Companion Case
Respondents' petition for review DENIED.

Amended Order

4th Dist. People, Respondent
D028130 v.
D028131 Robert J. Wenzel et al., Appellants
D028539 And Companion Case
D028451 Appellants' petitions for review DENIED.
D028532
D028214
D028349
Div. 1
S067258

Orders were filed in the following matters extending the time within which to grant or deny a petition for review to and including the date indicated, or until review is either granted or denied:

A073596/S067328 Cynthia Jill Ford et al. v. Pacific Gas and Electric Company
- April 16, 1998.

A075474/S067270 People v. Ollie Jerome Hall; In re Ollie Jerome Hall on
Habeas Corpus - April 14, 1998.

A075669/S067164 People v. Deshama E. Lankford-Byrd et al. - April 10, 1998.

A068978/S067104 People v. Cruz Alberto Mendoza et al. - April 15, 1998.

A074547/S067286 People v. Joshua Price-Mahdi - April 16, 1998.

B099885/S067178 Ronald E. Allen v. Brenda Wilderman et al. - April 10, 1998.

B106000/S067278 People v. Stephen Darren Remba - April 15, 1998.

B110092/S067264 People v. Byron Goodwin - April 14, 1998.

C022379/S067287 People v. John Wesley Parratt - April 16, 1998.

C022519/S067324 People v. William Edward Rouser - April 15, 1998.

C023922/S067115 John B. Vandenberg et al. v. Sacramento County Superior Court; Centennial Insurance Company et al., RPIs - April 10, 1998.

C024594/S067198 People v. Manuel Joe Lopez - April 13, 1998.

D023663/S067252 C. Robert Karl et al. v. Commonwealth Land Title Insurance Company - April 13, 1998.

D026418/S067255 People v. Sidney Daniel Herrera - April 13, 1998.

E017501/S067277 Swiss Property Management Company et al. v. Southern California IBEW-NECA Pension Plan - April 16, 1998.

E019235/S067223 Rudy J. Realo, Jr. et al. v. Thomas J. Bois et al. - April 14, 1998.

G019946/S067202 People v. Luis Tapia Guzman - April 13, 1998.

H015620/S067267 People v. Gary Neil Holliday - April 15, 1998.

S011323 People, Respondent

v.

David Esco Welch, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to and including April 1, 1998.

S017869 People, Respondent

v.

Kristin Williams Hughes, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including March 27, 1998.

No further extensions of time are contemplated.

S020161 People, Respondent

v.

Tauno Waidla, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including March 25, 1998.

S020803 People, Respondent

v.

Richard Bert Stewart, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including May 1, 1998.

S025880 People, Respondent

v.

Richard Louis Phillips, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including April 14, 1998.

S029588 People, Respondent

v.

Charles Keith Richardson, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including May 4, 1998, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

No further extensions of time are contemplated.

S061209 In re Edwin Gregory

on

Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including March 30, 1998.

S062156 Dan Briggs et al., Appellants

v.

Eden Council for Hope and Opportunity et al., Respondents

On application of respondent Eden Council for Hope and Opportunity, and good cause appearing, it is ordered that the time to serve and file respondent's reply brief on the merits is extended to and including March 23, 1998.

S063491 In re Tommy Ray Vance

on

Habeas Corpus

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the informal response to the petition for writ of habeas corpus is extended to and including March 12, 1998.

S064345 People, Respondent

v.

Samuel Martinez, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's answer brief on the merits is extended to and including March 16, 1998.

S065485 Nelson F. Leone, Appellant

v.

Medical Board of California, Respondent

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's opening brief is extended to and including April 9, 1998.

S061215 Cates Construction, Inc. et al., Appellants

v.

Talbot Partners et al., Respondents

And Companion Case

The application of respondents (Talbot Partners et al.) to file a supplemental brief regarding the new argument raised in the appellants' reply brief, is hereby GRANTED.

S062859 In the Matter of Mason Harry Rose V.

The request of amicus curiae Jerome Berg to file its closing brief on behalf of Harry Mason Rose is DENIED.

S026223 People, Respondent

v.

Gregory Scott Smith, Appellant

Upon request of appellant for appointment of counsel, the State Public Defender is hereby appointed to represent appellant on his automatic appeal now pending in this court.

S029489 People, Respondent

v.

Alphonso Howard, Appellant

Upon request of appellant for appointment of counsel, the State Public Defender is hereby appointed to represent appellant on his automatic appeal now pending in this court.

S029490 People, Respondent

v.

David Earl Williams, Appellant

Upon request of appellant for appointment of counsel, the State Public Defender is hereby appointed to represent appellant on his automatic appeal now pending in this court.

S033360 People, Respondent

v.

Keone Wallace, Appellant

Upon request of appellant for appointment of counsel, David J. Macher is hereby appointed to represent appellant on his automatic appeal now pending in this court.

S033436 People, Respondent

v.

Albert Lewis and Anthony Cedric Oliver, Appellants

Upon request of appellant **Anthony Cedric Oliver** for appointment of counsel, Robert M. Myers is hereby appointed to represent appellant on his automatic appeal now pending in this court, including any habeas corpus and related proceedings.

S065488 People, Respondent

v.

Angel Moscoro Cortina, Appellant

Upon request of appellant for appointment of counsel, Appellate Defenders, Inc., is hereby appointed to represent appellant on his appeal now pending in this court.

2nd Dist. Mark Weeb

B100720 v.

State of California

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Four to Division Seven.

2nd Dist.
B102795

People
v.
Wesley Sanders

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Four to Division Three.

2nd Dist.
B107512

M. Timm Development, Inc.
v.
Franchise Tax Board

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Six.

2nd Dist.
B108911

Twila Windom
v.
James W. Amos

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Four to Division Six.

2nd Dist.
B110718

Steve Bubalo Construction Co.
v.
County of Los Angeles

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Six.

2nd Dist.
B111272

Armando Herrera
v.
City of Redondo Beach

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Four to Division Six.

2nd Dist.
B114690

People
v.
Enrique Madrigal

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Four.

2nd Dist.
B115869

Bankruptcy Estate of Triad Healthcare
v.
Musick, Peeler & Garrett

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Seven to Division Four.

S033998

In the Matter of the Suspension of Attorneys
Pursuant to Rule 962 California Rules of Court

Having been provided proof of compliance pursuant to subdivision (1) of section 11350.6 of the Welfare and Institutions Code, the suspension of **John Robert Pasto**, pursuant to our order filed on December 17, 1997, is hereby terminated.

This order is final forthwith.

S068097

In the Matter of the Resignation of **Howard Earl Blumenthal**
A Member of the State Bar of California

The voluntary resignation of **Howard Earl Blumenthal** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S068098

In the Matter of the Resignation of **Daniel Richards Bucknum**
A Member of the State Bar of California

The voluntary resignation of **Daniel Richards Bucknum** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against

him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S068340 In the Matter of the Resignation of **Terese Lowney Garrett**
A Member of the State Bar of California

The voluntary resignation of **Terese Lowney Garrett** as a member of the State Bar of California is accepted.

S068341 In the Matter of the Resignation of **Ronald Haskell Evans**
A Member of the State Bar of California

The voluntary resignation of **Ronald Haskell Evans** as a member of the State Bar of California is accepted.

S068342 In the Matter of the Resignation of **Michelle Anne Douglas**
A Member of the State Bar of California

The voluntary resignation of **Michelle Anne Douglas** as a member of the State Bar of California is accepted.

S068343 In the Matter of the Resignation of **Harold Cotton**
A Member of the State Bar of California

The voluntary resignation of **Harold Cotton** as a member of the State Bar of California is accepted.

**SUPREME COURT CALENDAR
LOS ANGELES SESSION
APRIL 7 and 8, 1998
(FIRST AMENDED)**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, 3rd Floor, North Tower, Los Angeles, California on April 7 and 8, 1998.

TUESDAY, APRIL 7, 1998 - 9:00 A.M.

S062931	County of Santa Clara v. Perry
S060909	People v. Tillis - (<i>To be called and continued to May, 1998.</i>)
S062670	People v. Superior Court, County of Los Angeles; Melvin Ray J.
S063097	People v. Guiuan

2:00 P.M.

S059454	People v. Flood
S019708	People v. James David Majors [<i>Automatic Appeal</i>]

WEDNESDAY, APRIL 8, 1998 - 9:00 A.M.

S004784	People v. Martin James Kipp [<i>Automatic Appeal</i>]
S019786	People v. Paul Clarence Bolin [<i>Automatic Appeal</i>]

GEORGE
Chief Justice

If exhibits are to be transmitted to this Court, counsel must comply with Rule 10(d), California Rules of Court.